

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Twenty-First Legislature
State of Maine

Volume II

First Regular Session

May 27, 2003 – June 14, 2003

First Special Session

August 21, 2003 – August 23, 2003

Second Regular Session

January 7, 2004 - January 30, 2004

Second Special Session

February 3, 2004 - April 7, 2004

Pages 777-1562

including jail time. In order to get around that concern and yet maintain the integrity of the committee report, this amendment does a couple of things to clarify the original Committee Amendment, but it also says that the minimum mandatory jail sentence is only doubled if the subject is, in fact, a repeat offender with a prior conviction of a Class D offense under Title 12. That is what this amendment does. I thank the body for its patience.

The SPEAKER: The Chair recognizes the Representative from Crystal, Representative Joy.

Representative JOY: Mr. Speaker, May I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative JOY: Mr. Speaker, Men and Women of the House. On Line 40, third word, should that be none instead of not?

The SPEAKER: The Representative from Crystal, Representative Joy has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Old Town, Representative Dunlap.

Representative DUNLAP: Mr. Speaker, Men and Women of the House. To answer the Representative's question, he is probably correct. I believe we can fix that in a later amendment if need be.

House Amendment "A" (H-762) to Committee Amendment "A" (H-692) was ADOPTED.

Committee Amendment "A" (H-692) as Amended by House Amendment "A" (H-762) thereto was ADOPTED.

The Bill was PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-692) as Amended by House Amendment "A" (H-762) thereto in NON-CONCURRENCE and sent for concurrence.

By unanimous consent, all matters having been acted upon were ORDERED SENT FORTHWITH.

The House recessed until the Sound of the Bell.

(After Recess)

The House was called to order by the Speaker.

The following items were taken up out of order by unanimous consent:

SENATE PAPERS

Bill "An Act To Modify Taxation of Benefits under Employee Retirement Plans, Including Retirement Plans for Teachers" (S.P. 764) (L.D. 1927)

Came from the Senate, REFERRED to the Committee on TAXATION and ordered printed.

REFERRED to the Committee on TAXATION in concurrence.

REPORTS OF COMMITTEE

Refer to the Joint Select Committee on Regionalization and Community Cooperation Pursuant to Joint Order

Report of the Joint Select Committee on Regionalization and Community Cooperation on Bill "An Act To Promote Intergovernmental Cooperation, Cost Savings and Efficiencies"

(S.P. 767) (L.D. 1930)

Reporting that it be REFERRED to the Joint Select Committee on REGIONALIZATION AND COMMUNITY COOPERATION pursuant to Joint Order 2003, S.P. 689.

Came from the Senate with the Report READ and ACCEPTED and the Bill REFERRED to the Joint Select Committee on REGIONALIZATION AND COMMUNITY COOPERATION.

Report was READ and ACCEPTED and the Bill REFERRED to the Joint Select Committee on REGIONALIZATION AND COMMUNITY COOPERATION in concurrence.

By unanimous consent, all matters having been acted upon were ORDERED SENT FORTHWITH.

The Chair laid before the House the following item which was TABLED earlier in today's session:

An Act To Make Emergency Changes to Recent Law (H.P. 1404) (L.D. 1897) (S. "A" S-416)

Which was TABLED by Representative RICHARDSON of Brunswick pending PASSAGE TO BE ENACTED.

On motion of Representative RICHARDSON of Brunswick, TABLED pending PASSAGE TO BE ENACTED and later today assigned.

The following items were taken up out of order by unanimous consent:

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (8) Ought Not to Pass - Minority (5) Ought to Pass as Amended by Committee Amendment "A" (H-733) - Committee on BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT on Bill "An Act To Control Adult Entertainment Establishments"

(H.P. 1323) (L.D. 1801) TABLED - March 9, 2004 (Till Later Today) by Representative SULLIVAN of Biddeford.

PENDING - Motion of same Representative to ACCEPT the Minority OUGHT TO PASS AS AMENDED Report.

Subsequently, the Minority Ought to Pass as Amended Report was ACCEPTED.

The Bill was READ ONCE. Committee Amendment "A" (H-733) was READ by the Clerk and ADOPTED. The Bill was assigned for SECOND READING Wednesday, March 17, 2004.

SENATE REPORT - Ought to Pass as Amended by Committee Amendment "A" (S-412) - Committee on TRANSPORTATION on Bill "An Act To Simplify the Maine Turnpike Authority's Enforcement Procedures for Toll Violations"

(S.P. 637) (L.D. 1705) - In Senate, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-412).

TABLED - March 10, 2004 (Till Later Today) by Representative MARLEY of Portland.

PENDING - ACCEPTANCE OF COMMITTEE REPORT.

Subsequently, the Committee Report was **ACCEPTED**. The Bill was **READ ONCE**. **Committee Amendment "A" (S-412)** was **READ** by the Clerk.

Representative **MARLEY** of Portland **PRESENTED House Amendment "A" (H-763)** to **Committee Amendment "A" (S-412)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Marley.

Representative **MARLEY**: Mr. Speaker, Ladies and Gentlemen of the House. Very simply, this amendment simply ensures that any notices that are sent out be by certified mail to ensure that the address receives them as notification. Thank you.

House Amendment "A" (H-763) to **Committee Amendment "A" (S-412)** was **ADOPTED**.

Committee Amendment "A" (S-412) as Amended by **House Amendment "A" (H-763)** thereto was **ADOPTED**.

The Bill was assigned for **SECOND READING** Wednesday, March 17, 2004.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

On motion of Representative **McCORMICK** of West Gardiner, the House adjourned at 12:08 p.m., until 9:00 a.m., Wednesday, March 17, 2004 in honor and lasting tribute to Virginia H. Curtis, of West Gardiner and Jane M. McCormack, of Portland.